

R E M A R K S

The Examiner states this application contains claims directed to the following patentably distinct species of the claimed invention:

- (A) a method using TNF-alpha;
- (B) a method using modified TNF-beta;
- (C) a method using modified gamma-interferon;
- (D) a method using modified IgE
- (E) a method using modified IL-1.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, the Examiner states claims 26 and 28 are generic. Applicants elect Group (A), i.e., a method using modified TNF- α .

In addition, applicant is required to pick a particular disease recited in claims 48-52 as it applies to the method elected in paragraph 3 of the Office Action. Applicants elect the species inflammatory bowel disease.

Applicant is advised that a reply to this requirement must include a listing of all claims readable thereon, including any claims subsequently added. In addition to the generic claims, claims 47, 49, 50 and newly added claim 53 are readable on the elected species. New claim 53 is specifically directed to the elected species.

In view of the foregoing, early action on the merits is respectfully requested.

The Commissioner is hereby authorized to charge any fees due in connection with the present response to Deposit Account 06-1358.

Respectfully submitted,

JACOBSON, PRICE, HOLMAN & STERN, PLLC

By


D. Douglas Price
Reg. No. 24,514

400 7th Street, N.W.
Washington, D.C. 20004
(202) 638-6666
Atty. Dkt. P58774US3